

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROTHSCHILD DIGITAL)	
CONFIRMATION, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 19-1109-MN
)	
COMPANYCAM, INC.,)	
)	
Defendant.)	

**COMPANYCAM, INC.’S OPPOSITION TO MOTION FOR WITHDRAWAL OF
REPRESENTATION OF COUNSEL**

Defendant CompanyCam Inc. (“CompanyCam”) respectfully offers the below response to Rothschild Digital Confirmation, LLC’s (“RDC”) counsel’s motion to withdraw, D.I. 52. CompanyCam believes this Court’s October 4, 2021 Order, D.I. 55, resolves the motion. Pursuant to the Court’s Order, RDC must either advise the Court of RDC’s new counsel by October 18, 2021, or RDC’s current counsel must continue to represent RDC. *Id.*

To the extent the motion to withdraw remains live, however, CompanyCam opposes any withdrawal of current counsel if RDC has not obtained new counsel. “Plaintiff cannot proceed without representation.” *Id.* (citing *Upshur v. Hospedale*, C.A. No. 17-1358-RGA, 2018 U.S. Dist. LEXIS 5803, at *4 (D. Del. Jan. 12, 2018)).

CompanyCam further notes for the record that some circumstances may have changed since the motion to withdraw was filed on September 30, 2021. D.I. 52. Specifically, in the motion, counsel states that RDC “terminated” their representation and that “neither S&W nor Chavous may make any further representation to the Court on behalf of RDC in any matter.” *Id.* at 1. However, at least Mr. David Chavous appears to still represent RDC. Since his motion to

withdraw, Mr. Chavous has filed two separate documents in RDC's appeal of this action to the United States Court of Appeals for the Federal Circuit, including as recently yesterday, October 12, 2021. *See Rothschild Digital Confirmation, LLC v. CompanyCam, Inc.*, C.A. No. 21-1790, D.I. 22 (Fed. Cir. Oct. 4, 2021) (reply brief signed and filed by Mr. Chavous) (Ex. A, excerpted); *id.*, D.I. 23 (appendix to reply brief filed by Mr. Chavous on October 12, 2021) (Ex. B, excerpted); *see also* Ex. C at 3 (appellate docket showing filings by Mr. Chavous).

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